

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SIMON PIRELA, a/k/a SALVADOR
MORALES,

Petitioner,

v.

THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA, et al.,

Respondents.

CIVIL ACTION
NO. 00-5331

ORDER

AND NOW, this 16th day of May 2014, upon consideration of the Second Amended Petition for a Writ of Habeas Corpus with accompanying appendices (Doc. No. 36), the Response in Opposition with accompanying exhibits (Doc. No. 53), Petitioner's Reply in further support of the Petition (Doc. No. 57), the Report and Recommendation of the United States Magistrate Judge Henry S. Perkin (Doc. No. 62), Petitioner's Objections to the Report and Recommendation (Doc. No. 67), the pertinent state court record, and in accordance with the Opinion of the Court issued this day, it is **ORDERED** as follows:

1. The Magistrate Judge's Report and Recommendation (Doc. No. 62) is **APPROVED** and **ADOPTED**.
2. The Second Amended Petition for a Writ of Habeas Corpus (Doc. No. 36) is **DENIED**.
3. A certificate of appealability will not be issued because, based on the analysis contained in the Magistrate Judge's Report and Recommendation, as approved and adopted by this Court, and based on the analysis contained in the Opinion of

this Court, dated May 16, 2014, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the habeas petition.

4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.